



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OMB
OLC #78-2002/10

July 18, 1978

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer

Department of Energy
Department of Defense
✓ Central Intelligence Agency
National Science Foundation
Office of Science and Technology Policy

SUBJECT: Revised State proposed language on Sec. 503(a)
of H.R. 12598, the State Department Authorization

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than ASAP and no later than C.O.B Wednesday, July 19, 1978.

Questions should be referred to Jim Barie (395-4580) or to Tracey Cole (395-4710), the legislative analyst in this office.

Ronald K. Peterson

RONALD K. PETERSON for
Assistant Director for
Legislative Reference

Enclosures

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STATE SUGGESTED REVISION

SEC 503 (a) The President shall furnish to the Committee on Appropriations and the Committee on International Relations of the House of Representatives, and to the Committee on Appropriations and the Committee on Foreign Relations of the Senate, not later than March 1, 1979, a report on:

(1) the implementation of the declaration of policy set out in Section 502 above;

(2) ways to insure that the Secretary of State is fully informed and consulted before any agency of the United States takes any initiative intended to result in a formal international science or technology agreement or exchange with any foreign government or international organization;

(3) The responsibility of the Secretary of State for the coordination and oversight of science and technology agreements and activities between the United States and foreign countries, international organizations or commissions of which the United States and one or more foreign countries are members;

(4) the measures necessary to identify and evaluate elements of domestic science and technology programs and international scientific and technological developments with significant implications for the foreign relations of the United States and for the benefit of foreign countries; and

(5) an assessment of the personnel and funds required to carry out the responsibilities of the Secretary of State; existing and planned programs for research and analysis relevant to such responsibilities and to support long-range planning for the application of science and technology to foreign policy; existing and planned programs for training officers and employees of the United States Government with respect to such responsibilities; and existing and planned programs to enter into long-term contracts with academic and other organizations for assistance in training and in obtaining studies, analyses, and recommendations with respect to the application of science and technology to the problems of foreign policy.

(b) Except as otherwise provided by law, nothing in this section shall be construed as requiring the public disclosure of sensitive information relating to intelligence sources and methods or to persons engaged in monitoring scientific or technological developments for intelligence purposes.

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TAB 28

Issue. Responsibilities of Chiefs of Mission

House. Section 410 substitutes "Chief of Mission" for "Ambassador" in Section 16 of PL 93-475 -- the basic statutory statement of the responsibilities of Ambassadors.

Senate.

Section 119(1) also substitutes "Chief of Mission" for "Ambassador".

Section 119(2) clarifies subsection (3) of PL 93-475 confirming the intent of that section that "any department or agency having officers or employees in a country shall keep the United States Ambassador to that country fully and currently informed with respect to all activities and operations of its officers and employees in that country...". This clarification is achieved by inserting the words, "notwithstanding any other provision of law" before the words "keep the United States Ambassador fully and currently informed...".

Administration Position.

The Administration supports the House version but could accept the Senate version with a modification. The difference between the two lies in subsection (2) of the Senate version. The Administration believes that subsection (2) is unnecessary for two reasons:

1) The Executive Branch is agreed that the intent of Section 16 of PL 93-475 is clear and that it means that disclosure of intelligence information to Chiefs of Mission pursuant to Section 16 of PL 93-475 is authorized within the meaning of the National Security Act of 1947. Therefore no further clarification on that point is necessary.

2) All of Section 16 of PL 93-475 is prefaced with the words "under the direction of the President" and the President has already directed in his letter of October 25, 1977 that all United States Government personnel abroad shall keep the Chief of Mission "thoroughly and currently informed about all their activities...". Since the President has issued such a directive, additional confirmation of the requirement to keep Chiefs of Mission fully and currently informed is not needed.